IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

WP(C).No. 29415 of 2007(B)

PETITIONER:

SHIBU NARAYANAN, S/O. MADHAVAN,
NARAYANA ILLAM, KONCHIRA P.O., VEMBAYAM.

BY ADV. SMT.SREEDEVI KYLASANATH
SRI.V.SADASIVAN

RESPONDENTS:
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1. CIRCLE INSPECTOR OF POLICE,
THIRUVANANTHAPURAM.

2. SUB INSPECTOR OF POLICE,
POTHENCODE, THIRUVANANTHAPURAM.

3. NAZEERA BEEVI,
KANIYANIVILAKATHU VEEDU, NANNATTU KAVU,
POTHENCODE POST, THIRUVANANTHAPURAM.

4. HASSANAR PILLAI,
KUNNATH KONATHU THODARIKATHU VEEDU,NANNATTU KAVU,
POTHENCODE POST, THIRUVANANTHAPURAM.

5. SAIFUDDIN,
KANIYAMVILAKATHU THADATHARIKATHU VEEDU,
NANNATTU KAVU, POTHENCODE POST, THIRUVANANTHAPURAM

6. SABEER,
KANIYAMVILAKATHU THADATHARIKATHU VEEDU,
NANNATTU KAVU, POTHENCODE POST, THIRUVANANTHAPURAM

7. JAMALUDHEEN,
KANIYAMVILAKATHU VEEDU, 12, THEEPUKKAL,
NANNATTU KAVU, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO. 29415 OF 2007-B

Dated 4th October, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner purchased 10 cents of property from the husband of the 3rd respondent, who is the 7th respondent herein, as per Ext.P1 sale deed. The petitioner claims, eversince the execution of Ext.P1, he was in possession of the property. Recently, when he went to the property, the 3rd respondent and her supporters physically obstructed him from entering the property. Therefore, he filed Ext.P4 representation before the S.I of Police, seeking protection to enter the property and do agricultural operations there. He also filed Ext.P5 representation before the Director General of Police, seeking the very same relief. Thereafter, this writ petition is filed, seeking police protection to the petitioner's life and also for the property comprised in R.S.No.334/19-1 of Vembayam Village, Thiruvananthapuram.

2. There is no threat to the life of the petitioner if he does not enter

the disputed property. To prevent trespass into the property and also to protect his right to do agricultural operations, the petitioner has to move the civil court for appropriate reliefs. The police cannot be conferred the jurisdiction to interfere in the dispute between the petitioner and the wife of the vendor of the property. In the result, the writ petition is dismissed without prejudice to the contentions of the petitioner and his right to move other forums for appropriate reliefs.

K.BALAKRISHNAN NAIR, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Nm/